

# **Public Outreach & Transparency** *in Trade Policy and Negotiations*

**Executive Office of the President  
Office of the United States Trade Representative**

# **Public Outreach & Transparency**

## ***The Challenge***

- **FTAs are complex, lengthy and far-reaching**
- **Much higher level of public interest**
- **Trade agreements now cover many complex areas:**
  - **Services regulation**
  - **Investment rules**
  - **Government procurement, customs administration**
  - **Intellectual property protection**
  - **Environment and labor**
- **Some make false accusations of conspiracy and secrecy**

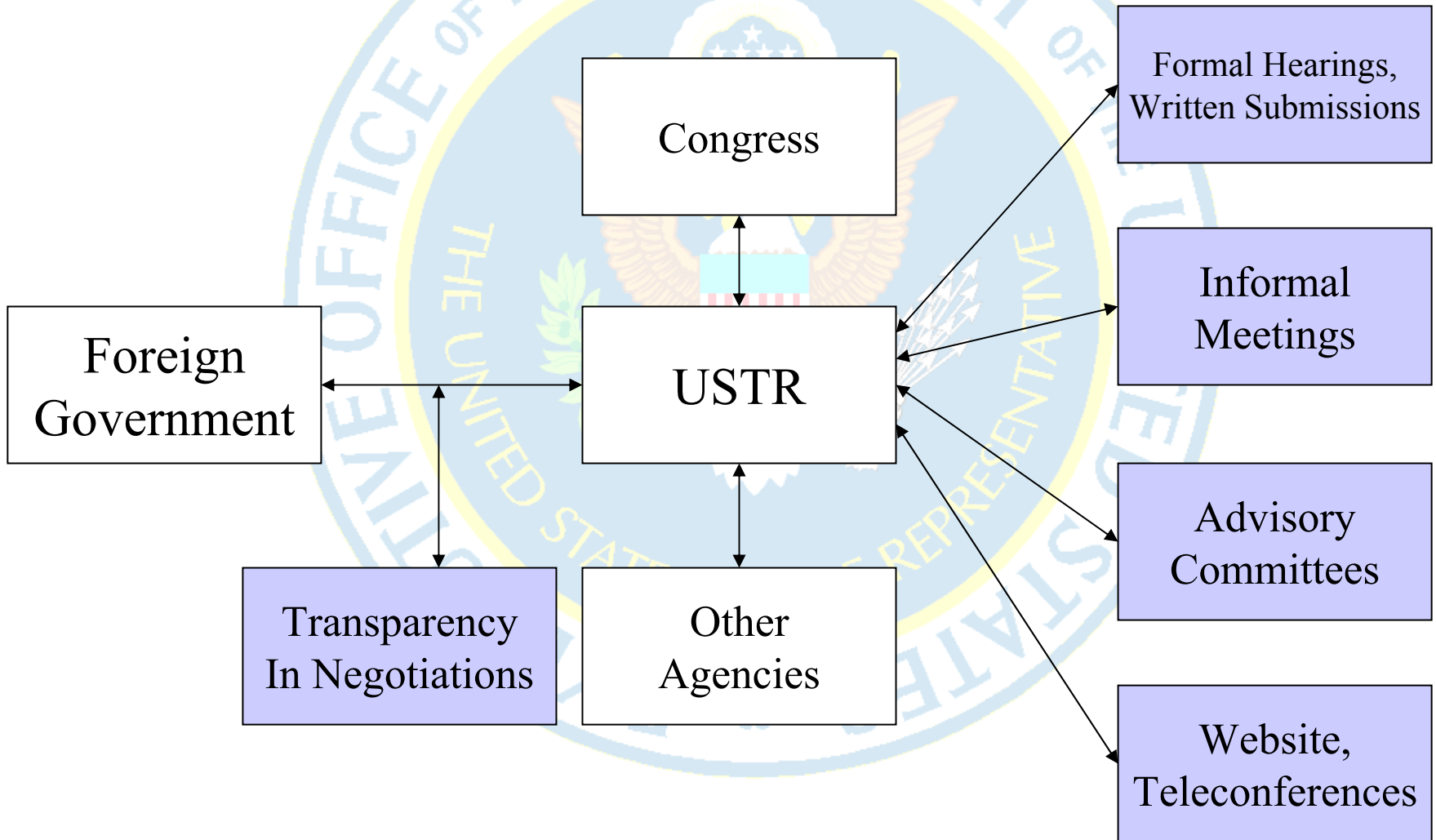
# Public Outreach & Transparency

## *The Response*

- **Plan for public outreach, education, and transparency**
- **5 main elements:**
  - **Formal process for public input**
  - **Informal process for public input**
  - **Advisory committees for detailed policy input**
  - **Increased transparency during negotiations, dispute settlement**
  - **Use of technology to reach wider audiences**
- **Old days: most countries only used informal process**
- **Now: can have all 5 elements at minimal cost**
  - **Use technology to be more cost-effective & efficient**

# Public Outreach & Transparency

## *5 Key Elements*



# **Public Outreach & Transparency**

## ***Formal Public Processes***

- **Open public hearings**
  - At beginning of negotiations, and during negotiations
- **Published notices seeking written input**
  - At beginning of negotiations, and during negotiations
  - Website posting of submissions received
- **Open public briefings at key stages in negotiations**
  - Senior-level briefings in D.C. after key negotiating rounds
  - Taped and posted to website for broad public access
- **Congressional hearings**
- **Letters from the public**
  - Unique letters receive a written response

# **Public Outreach & Transparency**

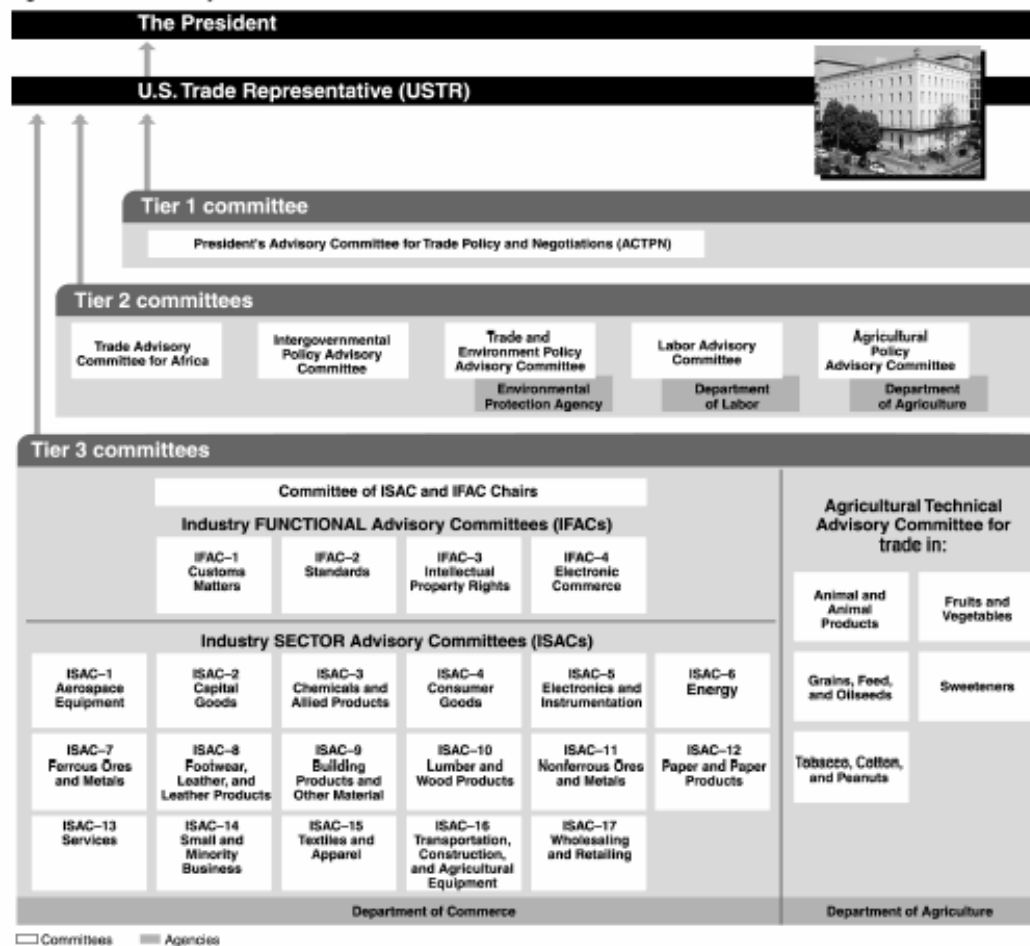
## ***Informal Public Processes***

- **Meetings with companies, trade associations**
  - At invitation of interested trade groups
  - Usually working-level or lead negotiator (AUSTR level)
- **Meetings with NGOs**
  - At invitation of NGOs or think tanks
- **Public events & roundtables**
  - At FTAA Ministerial, U.S. plans inter-active roundtables with business, NGOs, others
  - Ministerial briefings and roundtables

# Public Outreach & Transparency

## *Advisory Committee System*

Figure 2: Trade Advisory Committee Structure



### Purpose:

- Detailed policy advice on texts
- Balance of views
- Can draw on high level of expertise



# Public Outreach & Transparency

## *Advisory Committee System*

- **U.S. system: 31 committees, 700 advisors**
- **Number is less important than balance of views**
- **Advisors have security clearances**
- **Advisors have access to confidential negotiating texts**
  - In a controlled “reading room” at USTR
  - Soon via secure website
- **Advisory committees meet often with U.S. negotiators**
  - Average 3-4 meetings per year
  - More frequently at end of negotiation
- **Advisors write official reports to Congress**
  - Assessing the agreements at end of negotiation

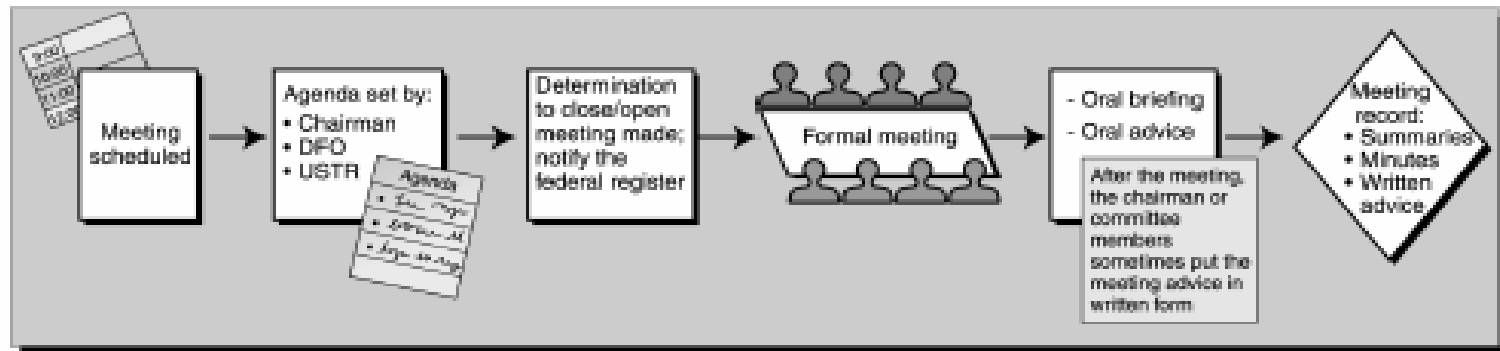


# Public Outreach & Transparency

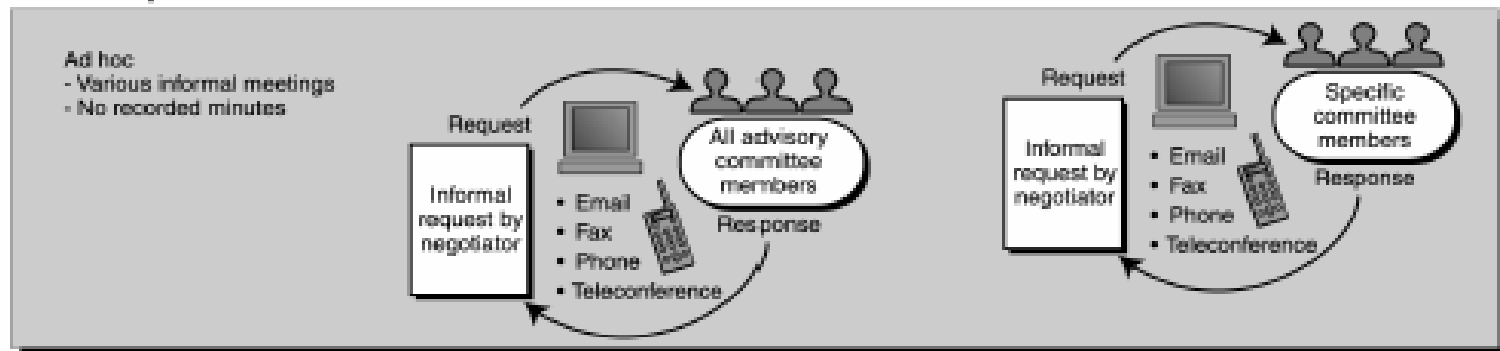
## *Advisory Committee Process*

Figure 3: Formal and Informal Consultation Process for Advisory Committees

### Formal process



### Informal process



# Public Outreach & Transparency

## *Transparency during Negotiations*

- **Public summaries of requests/offers**
  - On website
- **Public release of negotiating texts (FTAA)**
- **During negotiating rounds:**
  - Negotiator briefings for public
    - Often will do a pre-briefing before a key Ministerial
    - Taped and webcast if possible
  - Teleconferences/meetings with advisors, general public
    - Daily during key or final negotiating rounds
    - Post-briefings for other rounds

# **Public Outreach & Transparency**

## ***Transparency in Dispute Settlement***

- **U.S. makes available its submissions to dispute panels**
- **Chile, Singapore FTAs are ground-breaking:**
  - **Public access to dispute panel hearings**
  - **Public access to documents**
  - **Process for submission of amicus briefs**

# Public Outreach & Transparency

## *The Results*

- **Balance of views**
  - Most/all interested parties are involved in the process
- **Better trade-policy development**
- **Negotiators receive expert input on trade texts**
- **Builds coalitions for free trade**
- **Educates public on trade agreements, benefits of trade**
- **Answers charges of “secrecy”**